

THOMAS E. FRANKOVICH (State Bar No. 074414)
THOMAS E. FRANKOVICH,
2806 Van Ness Avenue
San Francisco, CA 94109
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Facsimile: 415/674-9900

Attorneys for Plaintiffs
PATRICK CONNALLY
and DISABILITY RIGHTS
ENFORCEMENT, EDUCATION,
SERVICES: HELPING YOU
HELP OTHERS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK CONNALLY, an individual; and)
DISABILITY RIGHTS, ENFORCEMENT,)
EDUCATION, SERVICES: HELPING YOU)
HELP OTHERS, a California public benefit)
corporation,

Plaintiffs,

v.

ALL STAR DOUGHNUTS; ALKAR
PROPERTIES LLC, a limited liability
company; HO CHAY LY and PAUL VAN
LY, individuals dba ALL STAR
DOUGHNUTS,

Defendants.

CASE NO. CV 08-02163 PJH

Civil Rights

**RETURN OF SERVICE RE DEFENDANTS
ALKAR PROPERTIES LLC, a limited
liability company; and HO CHAY LY, an
individual dba ALL STAR DOUGHNUTS**

RETURN OF SERVICE RE DEFENDANTS ALKAR PROPERTIES LLC, a limited liability company; and HO CHAY LY, an
individual dba ALL STAR DOUGHNUTS

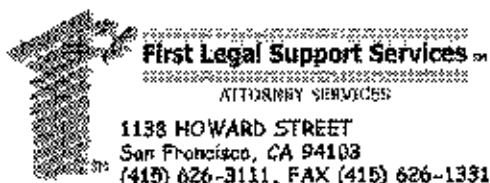
Attorney or Party without Attorney: THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No 415-674-8600 FAX No: 415-674-9900			For Court Use Only		
Attorney for: Plaintiff			Ref. No. or File No.: ALL STAR DOUGHNUTS		
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff PATRICK CONNALLY, et al. Defendant ALL STAR DOUGHNUTS, et al					
PROOF OF SERVICE SUMMONS & COMPLAINT		Hearing Date:	Time:	Dept/Div:	Case Number CV 08 2163 EMC

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ORDER OF RECUSAL; REASSIGNMENT ORDER; BCF REGISTRATION INFORMATION HANDOUT; LETTER DATED MAY 23, 2008.
3. a. Party served: ALKAR PROPERTIES LLC, a limited liability company
 b. Person served: RODNEY C. CHEW, AGENT FOR SERVICE
4. Address where the party was served: 818 JACKSON STREET
 SUITE 102
 SAN FRANCISCO, CA 94133
5. I served the party:
 b by substituted service. On: Fri., Jun 06, 2008 at 11:25AM by leaving the copies with or in the presence of:
 ANN LIU, OFFICE MANAGER
 (1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him or her of the general nature of the papers.
 (4) A declaration of mailing is attached.
 (5) I attach a declaration of diligence stating actions taken first to attempt personal service
6. The "Notice to the Person Served" (on the Summons) was completed as follows:
 on behalf of: ALKAR PROPERTIES LLC
 Other: A LIMITED LIABILITY COMPANY
7. Person Who Served Papers:
 a. ANDY ESQUER

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d The Fee for Service was.

- e. I am: (3) registered California process server
 - (i) Independent Contractor
 - (ii) Registration No.. 2007-0001009
 - (iii) County San Francisco



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Fri, Jun. 06, 2008

Attorney or Party without Attorney: THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109		For Court Use Only 	
Telephone No: 415-674-8600 FAX No. 415-674-9900		Ref. No or File No.: ALL STAR DOUGHNUTS	
Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California			
Plaintiff: PATRICK CONNALLY, et al. Defendant: ALL STAR DOUGHNUTS, et al.			
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time:
		Dept/Div:	Case Number: CV 08 2163 EMC

1. I, ANDY ESQUER, and any employee or independent contractors retained by FIRST LEGAL SUPPORT SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant ALKAR PROPERTIES LLC, a limited liability company as follows:

2. **Documents:** Summons In A Civil Case Complaint For Injunctive Relief And Damages; First Amended Complaint For Injunctive Relief And Damages; Civil Cover Sheet; Welcome To The U.S. District Court; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Scheduling Order For Cases Asserting Denial Of Right Of Access Under Americans With Disabilities Act Title Iii; Order Of Recusal; Reassignment Order; Ecf Registration Information Handout; Letter Dated May 23, 2008..

Day	Date	Time	Location	R e s u l t s
Wed	05/28/08	10:05am	Home	NO ANSWER NO ACTIVITY Attempt made by: DOUG SCHROEDER. Attempt at: 1547 24TH AVENUE SAN FRANCISCO CA 94122.
Thu	05/29/08	2:46pm	Home	NO ANSWER. NO ACTIVITY. Attempt made by: DOUG SCHROEDER. Attempt at: 1547 24TH AVENUE SAN FRANCISCO CA 94122.
Sun	06/01/08	7:15am	Home	NO ANSWER. NO ACTIVITY. NO CARS. NO ANSWER AT NEIGHBORING RESIDENCE IN AN ATTEMPT TO VERIFY THE ADDRESS. Attempt made by: ANDY ESQUER. Attempt at: 1547 24TH AVENUE SAN FRANCISCO CA 94122.
Wed	06/04/08	7:35pm	Home	NO ANSWER. NO CHANGES. Attempt made by: ANDY ESQUER. Attempt at: 1547 24TH AVENUE SAN FRANCISCO CA 94122.
Wed	06/04/08	7:35pm	Business	NO ANSWER. NO CHANGES. Attempt made by: ANDY ESQUER. Attempt at: 818 JACKSON STREET SUITE 102 SAN FRANCISCO CA 94133
Fri	06/06/08	11:25am	Business	Substituted Service on: ALKAR PROPERTIES LLC, a limited liability company Business - 818 JACKSON STREET SUITE 102 SAN FRANCISCO, CA. 94133 by Serving: RODNEY C. CHEW, AGENT FOR SERVICE a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served by leaving a copy of the document(s) with: ANN LIU, OFFICE MANAGER. Served by: ANDY ESQUER

Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109				For Court Use Only	
Telephone No: 415-674-8600 FAX: No: 415-674-9900		Ref. No or File No.: ALL STAR DOUGHNUTS			
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff: PATRICK CONNALLY, et al. Defendant: ALL STAR DOUGHNUTS, et al.					
AFFIDAVIT OF REASONABLE DILIGENCE		Hearing Date:	Time	Dept/Div	Case Number: CV 08 2163 EMC

SUMMONS & COMPLAINT

Day Date Time Location

Fri 06/06/08

Results

Mailed copy of Documents to: ALKAR PROPERTIES LLC, a limited liability company

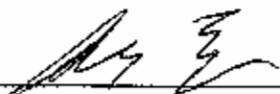
- 3 Person Executing
- a ANDY ESQUER
- b. FIRST LEGAL SUPPORT SERVICES
 1138 HOWARD ST.
 SAN FRANCISCO, CA 94103
 c. 415-626-3111

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d. The Fee for service was:

- e. I am: (3) registered California process server
- (i) Independent Contractor
- (ii) Registration No.: 2007-0001009
- (iii) County: San Francisco

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

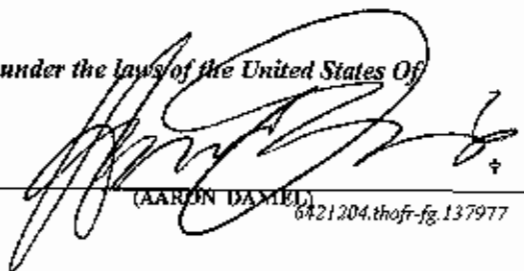


Attorney or Party without Attorney THOMAS E. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No: 415-674-8600 FAX No: 415-674-9900				For Court Use Only	
Attorney for Plaintiff Insert name of Court, and Judicial District and Branch Court United States District Court Northern District Of California				Ref. No or File No.: ALL STAR DOUGHNUTS	
Plaintiff: PATRICK CONNALLY, et al. Defendant: ALL STAR DOUGHNUTS, et al					
PROOF OF SERVICE By Mail		Hearing Date:	Time:	Dept/Div:	Case Number CV 08 2163 EMC

- I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
- I served copies of the SUMMONS IN A CIVIL CASE COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ORDER OF RECUSAL; REASSIGNMENT ORDER; ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED MAY 23, 2008.
- By placing a true copy of each document in the United States mail, in a sealed envelope by First Class mail with postage prepaid as follows:
 - Date of Mailing: Fri., Jun. 06, 2008
 - Place of Mailing: SAN FRANCISCO, CA 94103
 - Addressed as follows: ALKAR PROPERTIES LLC, a limited liability company
818 JACKSON STREET
SUITE 102
SAN FRANCISCO, CA 94133
- I am readily familiar with the business practice for collection and processing of correspondence as deposited with the U.S. Postal Service on Fri., Jun. 06, 2008 in the ordinary course of business
- Person Serving:
 - AARON DANIEL
 - FIRST LEGAL SUPPORT SERVICES
1138 HOWARD STREET
SAN FRANCISCO, CA 94103
 - 415-626-3111
 - The Fee for Service was Recoverable Cost Per CCP 1033.5(a)(4)(B)
 - I am: Not a Registered California Process Server

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Fri, Jun. 06, 2008


(AARON DANIEL)
6421204.thofr-fg.137977

Attorney or Party without Attorney: THOMAS B. FRANKOVICH, Bar #74414 THE FRANKOVICH GROUP 2806 VAN NESS AVE. SAN FRANCISCO, CA 94109 Telephone No 415-674-8600 FAX No 415-674-9900			For Court Use Only		
Attorney for: Plaintiff			Ref No or File No ALL STAR DOUGHNUTS		
Insert name of Court, and Judicial District and Branch Court: United States District Court Northern District Of California					
Plaintiff: PATRICK CONNALLY, et al. Defendant: ALL STAR DOUGHNUTS, et al.					
PROOF OF SERVICE SUMMONS & COMPLAINT		Hearing Date:	Time	Dept/Div	Case Number: CV 08 2163 EMC

1. At the time of service I was at least 18 years of age and not a party to this action

2. I served copies of the SUMMONS IN A CIVIL CASE; COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; FIRST AMENDED COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES; CIVIL COVER SHEET; WELCOME TO THE U.S. DISTRICT COURT; NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL; SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; ORDER OF RECUSAL; REASSIGNMENT ORDER, ECF REGISTRATION INFORMATION HANDOUT; LETTER DATED MAY 23, 2008.

3. a. Party served: HO CHAY LY, individual dba ALL STAR DOUGHNUTS

4. Address where the party was served: 901 CLEMENT STREET
SAN FRANCISCO, CA 94118

5. I served the party:

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., May. 27, 2008 (2) at: 11:45AM

6. The "Notice to the Person Served" (on the Summons) was completed as follows:

a. as an individual defendant

7. Person Who Served Papers:

a. DOUG SCHROEDER

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No. 190

(iii) County: Marin



First Legal Support Services

ATTORNEY SERVICES

1138 HOWARD STREET
San Francisco, CA 94103
(415) 626-3111, FAX (415) 626-1331

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, May 28, 2008